SANTES BANKRUPTCL COURT

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Nothing contained herein shall alter the rights of the credito upon conversion or dismissal of the case.

Entered on Docket August 10, 2009

> Hon. Linda B. Riegle United States Bankruptcy Judge

5 6 AARON & PATERNOSTER, LTD. MATTHEW E. AARON, ESO. 7 Nevada Bar #004900 2300 W. Sahara Ave., Suite 650 8 Las Vegas, NV 89102 (702) 384-4111 9 email: bk@aaronpaternoster.com Attorneys for Debtor(s) 10 11 UNITED STATES BANKRUPTCY COURT 12 DISTRICT OF NEVADA 13 In re: Chapter 13 Proceedings Case No.: 09-10947-LBR 14 JOSEPH WILLIAMS and KARIE 15 **WILLIAMS** 16 Debtor(s). DATE: 06/18/2009 TIME: 3:30 PM 17

ORDER ON MOTION TO VALUE COLLATERAL "STRIP OFF" AND MODIFY RIGHTS OF COUNTRYWIDE HOME LOANS PURSUANT TO U.S.C. §506(A) AND §1322

The Motion of Debtors, JOSEPH WILLIAMS and KARIE WILLIAMS, to Value Collateral and Modify The Rights of COUNTRYWIDE HOME LOANS, with regard to its wholly unsecured second mortgage on Debtor's real property, having come on regularly for hearing on the 18th of June, 2009, at 3:30 p.m., and with CHARLES GEISENDORF, ESQ. of AARON AND PATERNOSTER LTD., appearing for Debtors and, pursuant to notice duly given, no Opposition being filed by the Trustee or by creditors and the Court having heard the representations of counsel, and having reviewed the moving papers on file herein, and good cause appearing therefore,

1	The Court finds as follows:
2	1. That Debtors' property located at 6291 Explorer Drive, Las Vegas, Nevada 89103
3	("Subject Property") is valued at ONE HUNDRED SEVENTY THREE THOUSAND
4	FOUR HUNDRED TWENTY SEVEN AND 00/100 DOLLARS (\$173,427.00).
5	2. That on the filing date of the instant Chapter 13 petition, COUNTRYWIDE'S HOME
7	LOANS' second mortgage claim against the Subject Property was wholly unsecured.
8	IT IS HEREBY ORDERED, ADJUDGED AND DECREED that COUNTRYWIDE
9	HOME LOANS' secured claim is "Stripped off" and shall be treated as a "general unsecured
10	claim" pursuant to 11 U.S.C. Section 506 (a):
11	IT IS HEREBY ORDERED, ADJUDGED AND DECREED that COUNTRYWIDE
12	HOME LOANS' claim be reclassified as a general unsecured claim to be paid pro rata with other
13	general unsecured creditors through Debtor's Chapter 13 plan; and
14	
15	IT IS HEREBY ORDERED, ADJUDGED AND DECREED that COUNTRYWIDE
16	HOME LOANS is stripped of any rights secured by Subject Property.
17 18	DATED: July 27, 2009
19	AARON & PATERNOSTER, LTD.
20	B
21	By: <u>/s/ MATTHEW AARON</u> MATTHEW E. AARON, ESQ.
22	Nevada Bar #4900 2300 W. Sahara #650, Box 30
23	Las Vegas, NV 89102 Attorneys for Debtor(s)
24	• • • • • • • • • • • • • • • • • • • •
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1	In accordance with LR 9021, counsel submitting this document certifies as follows (check one):
2	The count has universal the country of Green Land L. I. D. 0001
3	The court has waived the requirement of approval under LR 9021 No parties appeared or filed written objections, and there is no trustee
4	appointed in the case.
5	X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this
6	case, and each has approved or disapproved the order, or failed to respond, as indicated below
7	[list each party and whether the party has approved, disapproved, or failed to respond to the document]:
8	Submitted by:
9	AARON & PATERNOSTER, LTD.
10	
11	By:_/s/ MATTHEW AARON
12	MATTHEW E. AARON, ESQ.
13	Nevada Bar #4900 2300 W. Sahara #650, Box 30
14	Las Vegas, NV 89102
	Attorneys for Debtor(s)
15	CHARTER 12 TRUCTER
16 17	CHAPTER 13 TRUSTEE Approved/Disapproved/Failed to Respond
18	
	By: Kathleen Leavitt, Trustee
19	radinosii Boavitti, Trustee
20	No appearance on behalf of COUNTRYWIDE HOME LOANS
21	The appearance on behalf of COOMIK I WIDE HOME LOAMS
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